

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

**BEVAN XAVIER BROOKS,
a/k/a**

CIVIL ACTION 2:10-2010

Plaintiff,

ORDER

-vs-

**CHIEF HORACE JAMES, OFC.
CLYDE JOHNSON, NURSE WEBBER,
DEPUTY DIRECTOR MRS. DOZIER,
SGT. MATHIS., OFC. A. BROWN,
DIRECTOR WILLIE BAMBERG, DR.
SWEATMAN, CPT. CHARLES
GOVAN, CPL. MURPHY, SGT.
WOODS, OFC. PAUL, OFC
CHIOSOLM, OFC. RYAN, AND
SGT. FRISK,
Defendants.**

This matter is before the Court upon the motion of the plaintiff, Bevan Xavier Brook, asking the Court to re-open his case. Previously, on April 29, 2011, this Court granted summary judgment to the defendants in this matter. The Court's decision was based upon the reasoning set forth in the recommendation of the Magistrate Judge. At the time the Court entered its decision, the plaintiff had not filed objections to the Magistrate Judge's report and

recommendation.

The plaintiff now contends that he has objections to the report and recommendation and that he placed them in the mail at the detention center where he is housed. He further contends that the officials at the detention withheld his mail and did not forward it to the United States Post Office. The plaintiff has alleged serious allegations against the detention center officials. The Court does not have independent knowledge concerning whether the plaintiff's mail has been tampered with or not. However, in abundance of caution, the Court vacates its previously entered order in this matter. The plaintiff shall file any objections he has to the Magistrate Judge's report and recommendation within thirty (30) days of entry of this order.

IT IS SO ORDERED.

s/Matthew J. Perry, Jr.
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
May 27, 2011.